

Exhibit B

From: Matt Oppenheim <Matt@oandzlaw.com>
Sent: Friday, March 29, 2019 12:04 PM
To: Golinveaux, Jennifer A. <JGolinveaux@winston.com>
Cc: Lane, Thomas Patrick <TLane@winston.com>; Jeff Gould <Jeff@oandzlaw.com>
Subject: Re: Do you have 5 minutes to chat?

We do not have the data so we don't know. But even assuming the data is not complex, our expert has to work with it and think about it. You guys are massively overdue on this. Either agree to push the expert deadline for a week or we file. This is not something we should have to take to Anderson but we are about to file if you cannot compromise.

Matt Oppenheim
Oppenheim + Zebrak
202-494-4910 (mobile)

> On Mar 29, 2019, at 2:57 PM, Golinveaux, Jennifer A. <JGolinveaux@winston.com> wrote:

>

> Matt,

>

> This is a report showing revenue by accused customer. It is not complex data to analyze. The time for creating the report involved writing the code to do so and bringing data up from back up tapes. That is an entirely different issue. Why would your experts need more than a week to analyze it?

>

> Jennifer

>

> Jennifer Golinveaux

> Winston & Strawn LLP

> D: +1 415-591-1506

> M: +1 415-699-1802

> winston.com

>

>

>

> -----Original Message-----

> From: Matt Oppenheim <Matt@oandzlaw.com>

> Sent: Friday, March 29, 2019 11:54 AM

> To: Golinveaux, Jennifer A. <JGolinveaux@winston.com>

> Cc: Lane, Thomas Patrick <TLane@winston.com>; Jeff Gould

> <Jeff@oandzlaw.com>

> Subject: Re: Do you have 5 minutes to chat?

>

> Seriously? We have to analyze the data. We have no idea what it will look like, and you want us to have to do that in one week when it is taking you 7 weeks to produce. If that is where you are on this issue, we should just file our motion. But seriously, that is not realistic.

>

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> On 3/29/19, 2:52 PM, "Golinveaux, Jennifer A." <JGolinveaux@winston.com> wrote:
>
> If the deposition is scheduled for April 5, why do you need to move the expert deadline?
>
> Jennifer Golinveaux
> Winston & Strawn LLP
> D: +1 415-591-1506
> M: +1 415-699-1802
> winston.com
>
>
>
> -----Original Message-----
> From: Matt Oppenheim <Matt@oandzlaw.com>
> Sent: Friday, March 29, 2019 11:50 AM
> To: Golinveaux, Jennifer A. <JGolinveaux@winston.com>
> Cc: Lane, Thomas Patrick <TLane@winston.com>; Jeff Gould <Jeff@oandzlaw.com>

> Subject: Re: Do you have 5 minutes to chat?
>
> I get it, but this is resolvable. Commit to moving our expert deadline by one week, and if
you do not get us the data 72 hrs before the deposition, we move the deposition.
>
> Matthew J. Oppenheim
> Oppenheim + Zebrak, LLP
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<<https://nam01.safelinks.protection.outlook.com/?url=https%3A%2F%2Ftwitter.com%2FOandZ Law&data=02%7C01%7CJGolinveaux%40winston.com%7Cf2ffab45c7454e3e561e08d6b479582d%7C12a8aae45e2f4ad8adab9375a84aa3e5%7C0%7C0%7C636894830595703642&am p;sdata=0X40ob%2F%2B%2F3WAW3huLQCWfb5FxDr%2Fr2WpY%2Fy%2BSoDm3Pg%3D &reserved=0>>Follow Oppenheim + Zebrak on Twitter.
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> On 3/29/19, 2:47 PM, "Golinveaux, Jennifer A." <JGolinveaux@winston.com> wrote:
>
> Matt,
>
> The client is working to nail down a more precise date but thinks that it can produce the
report at least 72 hours before the deposition. The issue is that given the age of the data, certain
of the date is having to be retrieved from back up tapes, which as you know is an involved
process. They are working on confirmation of how long it will take to complete. I'll report back
within the next hour.
>
> Regards,
> Jennifer

>
> Jennifer Golinveaux
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> D: +1 415-591-1506
> M: +1 415-699-1802
> winston.com
>
>
>
> -----Original Message-----
> From: Golinveaux, Jennifer A. <JGolinveaux@winston.com>
> Sent: Friday, March 29, 2019 9:07 AM
> To: Matt Oppenheim <Matt@oandzlaw.com>
> Cc: Lane, Thomas Patrick <TLane@winston.com>; Jeff Gould <Jeff@oandzlaw.com>
> Subject: Re: Do you have 5 minutes to chat?
>
> We are discussing this proposal with our client and will be back to you asap.
>
>> On Mar 29, 2019, at 4:02 AM, Matt Oppenheim <Matt@oandzlaw.com> wrote:
>>
>> Let me add the following to the extent it was not clear from Jeff's prior comments. We are
willing to stand down on the motion if you guys agree to push the deadline for our financial
expert, and we make sure we get the documents at least 72 hours before the deposition. This
seems to be a more than reasonable resolution.
>>
>> Please let us know within the hour if this is acceptable.
>>
>> Matt
>>
>> Matthew J. Oppenheim
>> Oppenheim + Zebrak, LLP
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<<https://nam01.safelinks.protection.outlook.com/?url=https%3A%2F%2Ftwitter.com%2FOandZ Law&data=02%7C01%7CJGolinveaux%40winston.com%7Cf2ffab45c7454e3e561e08d6b479582d%7C12a8aae45e2f4ad8adab9375a84aa3e5%7C0%7C0%7C636894830595703642&sd ata=0X40ob%2F%2B%2F3WAW3huLQCWfb5FxDr%2Fr2WpY%2Fy%2BSoDm3Pg%3D&reserved=0>>Follow Oppenheim + Zebrak on Twitter.

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>> On 3/29/19, 7:48 AM, "Matt Oppenheim" <Matt@oandzlaw.com> wrote:
>>

>> Needless to say, this is not adequate. I called multiple members of your team yesterday to have a verbal meet and confer, but none of you were able to call me back. At this point we assume that this written exchange is sufficient meet and confer. If you can give us more concrete information including assurance that the information will be produced today, we can avoid filing a motion.

>>

>> Matt Oppenheim

>> Oppenheim + Zebrak

>> 202-494-4910 (mobile)

>>

>>> On Mar 29, 2019, at 1:33 AM, Golinveaux, Jennifer A. <JGolinveaux@winston.com> wrote:

>>>

>>> Matt,

>>>

>>> As I told Jeff yesterday, the client is working diligently to get you this report well in advance of Mr. Mencher's deposition next week. Things have progressed slower than anticipated in light of the age of the data. I have another status check with the client tomorrow and will give you an update.

>>>

>>> Jennifer

>>>

>>>> On Mar 28, 2019, at 9:46 AM, Matt Oppenheim <Matt@oandzlaw.com> wrote:

>>>>

>>>> Apologies. I called and left a message for Tom Buchanan. Can you give me a ring?

>>>>

>>>> We need to figure out where we are on the financial data that the court ordered to be produced in early February. I do not want to have to file a motion for sanctions tomorrow, but given the upcoming expert deadlines, we will not have a choice if we do not have a rock-solid promise that we are getting the discovery tomorrow.

>>>>

>>>> Matt

>>>>

>>> Matthew J. Oppenheim
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>>> On 3/28/19, 3:43 PM, "Lane, Thomas Patrick" <TLane@winston.com> wrote:
>>>
>>> Matt:
>>>
>>> I did not get a voicemail from you. Now on calls. Can you shoot me an email? Many thanks.
>>>
>>> Tom
>>>
>>>
>>>
>>>
>>>
>>> On Mar 28, 2019, at 1:51 PM, Matt Oppenheim <Matt@oandzlaw.com<mailto:Matt@oandzlaw.com>> wrote:
>>>
>>> I left him a voicemail.
>>>

>>> From: "Golinveaux, Jennifer A."
>>> <JGolinveaux@winston.com<mailto:JGolinveaux@winston.com>>
>>> Date: Thursday, March 28, 2019 at 1:44 PM
>>> To: Matt Oppenheim <Matt@oandzlaw.com<mailto:Matt@oandzlaw.com>>
>>> Cc: "Lane, Thomas Patrick"
>>> <TLane@winston.com<mailto:TLane@winston.com>>
>>> Subject: RE: Do you have 5 minutes to chat?
>>>
>>> I am boarding a flight but you can reach Tom in his office.
>>>
>>> Jennifer Golinveaux
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>>>
>>> winston.com<http://www.winston.com>
>>>
>>> [Winston & Strawn LLP]
>>>
>>> From: Matt Oppenheim <Matt@oandzlaw.com<mailto:Matt@oandzlaw.com>>
>>> Sent: Thursday, March 28, 2019 10:39 AM
>>> To: Golinveaux, Jennifer A.
>>> <JGolinveaux@winston.com<mailto:JGolinveaux@winston.com>>
>>> Subject: Do you have 5 minutes to chat?
>>>
>>> Matt
>>>
>>> Matthew J. Oppenheim
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